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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 GORDON M. KENNY and JAMIE J.
11 KENNY, husband and wife and the marital
community composed thereof, and as the
12 natural parents and legal guardians of T.
M. L. K., a minor,

13 Plaintiffs,

14 vs.

15 TENINO SCHOOL DISTRICT NO. 402,
16 d/b/a TENINO MIDDLE SCHOOL; RANDY
KRAMER and KEVIN KEIR,

17 Defendants.
18

NO. C06-05320-RBL

ORDER APPROVING MINOR
SETTLEMENT

19 THIS MATTER having come on regularly before the undersigned Judge of the
20 above-entitled Court upon the motion of plaintiffs for an order approving the settlement
21 involving the minor herein, and the Court having considered the files and records
22 contained herein, including the Report of the Settlement Guardian ad Litem James R.
23

ORDER APPROVING MINOR SETTLEMENT- 1

RUSH, HANNULA, HARKINS & KYLER, L.L.P.

4701 South 19th Street, Suite 300
TACOMA, WA 98405
TACOMA: (253) 383-5388
SEATTLE: (253) 838-4790

Cushing, filed with the Court under seal, and the Court being fully advised in the premises, now, therefore, it is

ORDERED, ADJUDGED AND DECREED that the proposed settlement of the plaintiffs' claims be and the same hereby is approved; it is further

ORDERED, ADJUDGED AND DECREED that the net sum to the minor herein in the amount of Twenty-Thousand and no/100ths (\$20,000.00) Dollars shall be paid to or for the benefit of the minor with future periodic payments on the dates and in the amounts indicated hereafter:

Payee: T.M.L.K. (a minor)
On 10/6/2013, a lump sum of \$12,000
On 10/6/2014, a lump sum of \$15,040

Any payments to be made after the death of the Payee shall be made to the Estate of Payee. After the age of majority, Payee may submit a change of beneficiary, in writing, to Assignee. No such designation, or any revocation thereof, shall be effective unless it is in writing and delivered to Assignee. The designation must be in a form acceptable to Assignee. The designation approved by the Court at this time is the Estate of T.M.L.K., a minor.

The obligation to make periodic payments described herein will be assigned to Prudential Assigned Settlement Services Corporation ("Assignee") and funded by an annuity contract issued by The Prudential Insurance Company of America ("Annuity

ORDER APPROVING MINOR SETTLEMENT- 2

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2 Issuer”), rated A+ (Superior) by A.M. Best Company. All parties shall cooperate fully
3 and execute any and all supplementary documents, including a Qualified Assignment in
4 compliance with IRC 104 (a)(2) and Section 130 of the Internal Revenue Code of 1986,
5 as amended; it is further

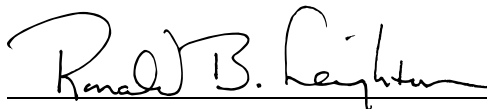
6 ORDERED, ADJUDGED AND DECREED that the parents of the minor, Gordon
7 and Jamie Kenny be and they hereby are authorized individually and/or jointly to
8 execute any necessary settlement documents on behalf of the minor; it is further

9
10 ORDERED, ADJUDGED AND DECREED that the guardian ad litem fee of
11 \$1,400.00 shall be paid 50% by the Tenino School District and/or its insurer and 50% by
12 counsel representing plaintiffs; and it is further

13 ORDERED, ADJUDGED AND DECREED that the settlement guardian ad litem
14 herein, James Cushing, be and he hereby is discharged as settlement guardian ad litem
15 for the minor herein; it is further

16 ORDERED, ADJUDGED AND DECREED that the parties hereto shall cause to
17 be filed with the Court upon the completion of the settlement approved herein, a
18 Stipulation and Order of Dismissal, with prejudice of all claims.

19 DATED: July 27, 2007

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22 RONALD B. LEIGHTON

23 UNITED STATES DISTRICT JUDGE

Presented by:

RUSH, HANNULA, HARKINS & KYLER, L.L.P.

By: Daniel R. Kyler, WSBA# 12905

Attorney for Plaintiffs

4701 South 19th Street, #300

Tacoma, WA 98405

253-383-5388

Approved as to Form, Notice of

Presentment waived:

By: Diana V. Blakney

Diana V. Blakney, WSBA #17629

MICHAEL B. TIERNEY, P.C.

Attorneys for Defendants

2955 80th Ave. SE, Suite 205

Mercer Island, WA 98040

Phone: 206-232-3074

ORDER APPROVING MINOR SETTLEMENT- 4

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